

Application No.: 09/618,550
Amendment filed on May 27, 2003
Reply to Office Action of November 29, 2002

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-5, 8-10, 13, 14, 26-43, 46 and 49-59 are pending in the present application. Claims 2, 6, 7, 11, 12, 15-25, 44, 45, 47 and 48 are canceled, Claims 1, 3, 5, 8-10, 13 and 14 are currently amended, and Claims 52-59 are added by the present amendment.

In the outstanding Office Action, Claims 1-25 and 43-48 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1-25 and 43-48 were rejected under 35 U.S.C. § 102(b) as anticipated by Ushida et al.; and Claims 1-25 and 43-48 were rejected under 35 U.S.C. § 102(e) as anticipated by Okamoto et al.

Applicant thanks the Examiner for the courtesy of an interview extended to Applicant's representative on April 10, 2003. During the interview, the rejections noted in the outstanding Office Action were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Comments discussed during the interview are reiterated below.

Regarding the rejection of Claims 1-25 and 43-48 under 35 U.S.C. § 112, second paragraph, Applicants respectfully submits the claims are definite within the meaning of 35 U.S.C. § 112, second paragraph as noted in the comments presented in the first response filed August 21, 2003. Further, each of the independent Claims 1, 6, 7, 10, 12 and 15 have been amended to recite that one of the first and second exposure apparatuses is a scanning type

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exposure apparatus and the other is a stationary type exposure apparatus. In addition, Applicants note that as stated in M.P.E.P. § 2173.02, during examination of claims for compliance with the requirements for definiteness under 35 U.S.C. § 112, second paragraph, some latitude in the manner of expression and the aptness of terms should be permitted even though the claim language is not as precise as the Examiner might desire. In reviewing a claim for compliance with U.S.C. § 112, second paragraph, the Examiner must consider the claim as a whole to determine whether the claim apprises one of ordinary skill in the art of its scope, and therefore serves the notice function required by 35 U.S.C. § 112, second paragraph by providing clear warning to others as to what constitutes infringement of the patent. It is respectfully submitted the claims meet these requirements and thus are definite under 35 U.S.C. § 112, second paragraph. Accordingly, it is respectfully requested this rejection be withdrawn.

Claims 1-25 and 43-48 stand rejected under 35 U.S.C. § 102(b) as anticipated by Ushida et al. This rejection is respectfully traversed.

Each of the independent Claims 1, 6, 7, 10, 12 and 15 have been amended to recite that one of the first and second exposure apparatuses is a scanning type exposure apparatus and the other is a stationary type exposure apparatus.

Ushida et al. are directed to correcting the same type of distortions produced by the same type stationary type exposure apparatuses. In more detail, Ushida et al. teach in Figures 1A and 1B a first stepper PL1 (stationary type exposure apparatus) and a second stepper PL2

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(also a stepper type exposure apparatus), which has a different magnification than the first stepper apparatus PL1.

This differs from the claimed invention in which the image forming characteristics of a first exposure apparatus is adjusted and consideration of an image correction capability of a second apparatus, where one of the first and second exposure apparatuses is a scanning type exposure apparatus and the other is a stationary type exposure apparatus.

Accordingly, it is respectfully submitted independent Claims 1, 6, 7, 10, 12 and 15 and each of the claims depending therefrom patentably define over Ushida et al.

Claims 1-25 and 43-48 stand rejected under 35 U.S.C. § 102(e) as anticipated by Okamoto et al. This rejection is respectfully traversed.

Similar arguments apply to Okamoto et al. as discussed above with respect to Ushida et al. That is, Okamoto et al. is also directed to correcting exposure characteristics when a plurality of stepper type projection apparatuses (i.e., the same type of apparatus) are used for exposure in a mix and match method (see column 21, lines 45-48 and Figure 8). This also differs from the claimed invention in which the image forming characteristics of a first exposure apparatus is adjusted and consideration of an image distortion correction capability of a second exposure where one of the first and second exposure apparatuses is a scanning type exposure apparatus and the other is a stationary type exposure apparatus. Accordingly, it is respectfully requested this rejection also be withdrawn.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "David Bilodeau".

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